

**REMARKS**

The Examiner has rejected claims 9-12, 16, 21 and 22 under section 102(b) as being anticipated by Olofsson et al (6,167,031). Furthermore, the Examiner has rejected claims 13-15 and 17-19 under section 103(a) as being unpatentable over Olofsson in view of Gilhousen et al (5,103,459). Claims 9, 16 and 21 are independent claims. In rejecting claims 9, 16 and 21, the Examiner notes that Olofsson discloses “generating first channel quality value (RX-LEV) and second channel quality value (RX-QUAL), while contending that RX-LEV and RX-QUAL are the same as full channel quality value and incremental channel quality value. Applicants respectfully disagree.

The RX-LEV as disclosed by Olofsson is a received signal strength, and RX-QUAL is a measure of bit error rate at the mobile station. In contrast, the full channel quality value is a measure of C/I (carrier to interference ratio) at the mobile station. This measurement is reported to the base station. The full channel quality value is the full value measured at the mobile station. The incremental channel quality value is an indication (whether up or down) of the increment of the channel quality from a previous full channel quality value. For example, if the full channel quality as represented by a four-bit word is equal to “1010”, the incremental value would be represented by a one bit word as either a “0” or “1” to indicate a decrease or increase from the full channel quality value. Therefore, if each increment (the incremental step as defined by the one bit word) is equal to one bit of the full value, the full value would be either “1001” or “1011”, respectively for an incremental value of “0” and “1”. Neither one of the RX-LEV and RX-QUAL is an incremental value. Therefore, the RX-LEV and RX-QUAL are NOT the same as full channel quality value and incremental channel quality value. As such, Olofsson can not anticipate the claimed invention as recited in independent claims 9, 16 and 21. As such they are allowable.

Since all other claims are dependent on the allowable claims, the dependent claims are also allowable.

Applicants have added new claims 28-31, which believe to be allowable over the cited art. Support for the new claims may be found throughout the application as filed and more particularly in paragraphs 1074-1079.

**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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